

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JESUS VALDEZ,

Plaintiff,

v.

No. 13-cv-0815 SMV/LAM

**RENIER ULLOA CASTILLO;
TEC EQUIPMENT, INC.;
BARCAZ TRANSPORTATION, INC.;
BROOKWOOD INSURANCE CO.; and
AMERICAN INTERNATIONAL GROUP, INC.;**

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. Plaintiff filed his Complaint in state court on June 21, 2013. [Doc. 1-2] at 1– 5. Defendant Castillo removed the case to this Court on August 29, 2013. [Doc. 1]. The Notice of Removal indicated that Defendant Brookwood had not yet been served. *Id.* at 1. Plaintiff had 120 days after the case was removed, or until December 27, 2013, to serve Defendant Brookwood. *See Wallace v. Microsoft Corp.*, 596 F.3d 703, 706 (10th Cir. 2010). However, there is no indication on the record that service of process has been effected with respect to Defendant Brookwood, and the 120 days have passed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff show good cause why his claims against Defendant Brookwood should not be dismissed without prejudice for lack of service. Plaintiff shall file his response no later than **January 21, 2014**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge